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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,161	01/12/2004	Vincent C. Skurdal	200310274-1	3382

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EXAMINER

PATEL, NITIN C

ART UNIT PAPER NUMBER

2116

DATE MAILED: 07/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/756,161

Applicant(s)

SKURDAL ET AL.

Examiner

Nitin C. Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>1/12/04 and 4/26/0</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in responsive to communication filed on 26 April 2005.
2. Claims 1 – 59 are presented for the examination.

Information Disclosure Statement

3. The information disclosure statement (IDS) submitted on 12 January 2004, and 26 April 2005 were filed before the mailing date of the first office action. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

4. Claims 1, 3, 7, 12, 15, 20, 21, 26, 27, 31, 32, 37, 39, 40, 41, 43, 44, 49, and 57 are objected to because of the following informalities:
 5. In claim 1, lines 5, and 6: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.
 6. In claim 3, line 1: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.
 7. In claim 7, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.
 8. In claim 12, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.
 9. In claim 15, line 3 on page 15, and line 2 on page 16: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

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10. In claim 15, line 1: insert – docking--- between the words "said" and "station", as a docking station has been recited in the claim.

11. In claim 20, line 2: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

12. In claim 21, lines 2, and 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

13. In claim 26, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

14. In claim 27, lines 3, and 5: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

15. In claim 27, line 1: insert – docking--- between the words "said" and "station", as a docking station has been recited in the claim.

16. In claim 31, line 2: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

17. In claim 32, lines 2, and 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

18. In claim 37, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

19. In claim 39, line 3 on page 18, and line 2 on page 19: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

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20. In claim 40, line 2: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

21. In claim 41, line 1: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

22. In claim 43, lines 1, and 2: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

23. In claim 44, lines 1, and 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

24. In claim 49, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

25. In claim 57, line 3: insert – wireless--- between the words "said" and "mouse", as a wireless mouse has been recited in the claim.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.

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2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

26. Claims 1 – 59 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nakamura et al. [hereinafter as Nakamura], US Patent 6,801,967 B2, and further in view of Woog et al. [hereinafter as Woog], US Patent 5,630,144.

27. As to claims 1, 15, 27, 39, and 52, Nakamura discloses a computer system [fig. 1] and method including a wireless mouse [14] for interacting with computer [11], a docking station [15, receiver] for the wireless mouse [14], and docking station [15, receiver] comprising a mouse detector [terminals 94, 95, with 96, microcontroller of board module 92 in receiver, fig. 5c-6] configured to detect when the wireless mouse is docked in docking station [15] and also sending [transmitting] the signals to the computer via cable [18][col. 7, lines 13 – 30, col. 8, lines 59 – 65, col. 9, lines 45 – 53].

However, Nakamura's transmit [communication] of signals does not teach to deactivate the computer when the wireless mouse is docked in the docking station.

Woog discloses a computer system [50, fig. 1] and method of power management for computer system including a power controlling system [100], input detector [210, fig. 2] with timer [220], which detects elapsed time between occurrences of input activity exceeds threshold it asserts signal that will deactivate the computer system [by causing the monitor to enter a standby mode][here inactivity period of input device is same situation as wireless mouse is docked in docking station where it is inactive] [col. 2, lines 5 – 22, 60 – 67, col. 3, lines 1 – 10, lines 29 – 37, col. 6, lines 1 – 33, 56 – 66].

It would have been obvious to one of ordinary skill in art, having the teachings of Nakamura and Huang before him at the time of invention was made, to modify the board module of receiver [docking station] as disclosed by Nakamura to include an electrical circuit as shown in block diagram [fig. 4] and taught by Woog in order to obtain a computer system with a power saving device by causing the peripheral devices [monitor, other peripheral devices such as printers, scanners, facsimile, modems, disk drive, col. 6, lines 27 – 66] entering into standby mode [deactivating computer systems] by detecting that input devices [keyboard or mouse] are idle for a period of time which saves power and elongates life of monitor. One of ordinary skill in the art wanted to be motivated to automatically detect the input devices [including keyboard, mouse] is idle and causing the peripheral devices to enter in standby mode by switching off power will save significant amount of power elongates the life of monitor [col. 6, lines 64 – 66], and requires very little warm-up time [col. 5, lines 61 – 63].

28. As to claims 2, 16, 28, and 40 Nakamura discloses a wireless mouse comprises a rechargeable battery [col. 1, lines 60 – 61] and docking station comprises a charger [a battery charger] for recharging the rechargeable battery [col. 2, lines 35 – 36].

29. As to claims 3, 17, 29, and 41, Nakamura discloses mouse detector includes a current detector [75, controller] for detecting when current flows [through transistors] through the charger to charge the rechargeable battery [fig. 11, 13].

30. As to claims 4, 18, 30, and 42, Nakamura discloses a docking station comprising a receiver for receiving a mouse signal from said wireless muse and relaying that mouse signal to computer [col. 1, lines 62 – 64, fig. 6].

31. As to claims 5, 19, and 38, Nakamura discloses a Universal Serial Bus [USB] connection between said docking station and said computer [col. 3, lines 58 – 61, fig. 1, 7, 10].

32. As to claims 6, 20, 31, and 43, Nakamura discloses a mouse detector comprises a switch [transistor], which is actuated when said mouse is docked in said docking station [terminals 94, 95, with 96, microcontroller of board module 92 in receiver, fig. 5c-6].

33. As to claims 7, 21, 32, 44, and 44, Nakamura discloses an open circuit [94, 95, fig. 1], which is closed by one or more contacts [37, 38] on said mouse [32] when said mouse [32] is docked in said docking station [15][col. 4, lines 10 – 27, fig. 1, 2B].

34. As to claims 8 – 11, 22 – 25, 33 – 36, 45 – 48, and 53 – 55, Woog discloses a computer system [50, fig. 1] and placing in a standby mode [by interrupting a power to monitor], a hibernation [CPU does not continually check for input activity] mode, and shut down mode [turned off], and locked in [standby mode] in response to a signal from device [col. 2, lines 5 – 22, col. 3, lines 1 – 10, col. 6, lines 27 – 32, 57 – 66].

35. As to claims 12, 26, 37, 49, and 57, Woog discloses a computer system [50, fig. 1] and placing in a standby mode [by interrupting a power to monitor], a hibernation [CPU does not continually check for input activity] mode, and shut down mode [turned off], and locked in [standby mode] in response to a signal [interrupt] from device [col. 2, lines 5 – 22, col. 3, lines 1 – 10, col. 6, lines 27 – 32, 57 – 66] which inherently teaches activation of computer system by detecting the signal [interrupt] from device.

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36. As to claims 13 – 14, 50 – 51, 56, and 58 – 59, it is inherent to Nakamura and Woog's computer system 's the standby mode after locked, and by moving the mouse it requests input [user name and password] of a user identifier including a password with user interface [user input window].

37. **Examiner's note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant.

Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

38. **Prior Art not relied upon:** Please refer to the references listed in attached PTO-892, which, are not relied upon for claim rejection since these references are relevant to the claimed invention.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin C. Patel whose telephone number is 571-272-3675. The examiner can normally be reached on 6:30 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H. Browne can be reached on 571-272-3670. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Nitin C. Patel
June 22, 2006


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